



BARRY TOWN COUNCIL

CYNGOR TREF Y BARRI

Please reply to: TOWN CLERK

Your Ref:

When calling please ask
for:

PERS/ef

15 September 2023

To: Councillor Perkes, (Chairperson) plus Councillors Charles, S Hodges, Johnson (Town Mayor – Ex-officio), Thomas, Wiliam (Vice-Chair), and Wilkinson (plus one vacancy)

Dear Councillor,

You are summoned to attend an **Extraordinary meeting** of the **Personnel Committee** to be held on a **hybrid basis in the Council Chamber, Town Hall, King Square, Barry, CF63 4RW and remotely on Monday, 21 September 2023 commencing at 7.00 pm** for the purpose of transacting the business specified below.

From 1 May 2021 The Local Government and Elections (Wales) Act 2021 makes provision for meetings to take place through a variety of arrangements, including multi-location meetings where all individuals are attending virtually and hybrid meetings where a number of individuals are attending in person at a designated location and others are attending virtually from a range of other locations. The Act makes permanent provision for remote meetings (multi-location) and electronic publication of documents

Please inform the office of your intention to attend in person or virtually.

Yours faithfully

Tracy Predeth
Locum Chief Officer

*The Council welcomes correspondence in English or Welsh
Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg neu'n Saesneg*

TOWN HALL, KING SQUARE,
HOLTON ROAD,
BARRY, CF63 4RW
Tel: (01446) 738663
Email: info@barrytowncouncil.gov.uk

NEUADD Y DREF, SGWÂR Y
BRENIN, HEOL HOLTON,
Y BARRI, CF63 4RW
Ffôn: (01446) 738663
Ebost: info@barrytowncouncil.gov.uk

AGENDA

1. **Apologies for absence**
2. **To receive declarations of interest under the Council's Code of Conduct** (Note: Members seeking advice on this item are requested to contact the Monitoring Officer at least 72 hours before the meeting)
3. **Well-being of Future Generations (Wales) Act 2015**
(To note)

*Personnel Committee members will note that this Act sets out the requirement for a public body to act in a manner which seeks to ensure **that the needs of the present are met without compromising the ability of future generations to meet their own needs.***

In order to act in that manner, a public body must take account of the following things:

- (a) the importance of balancing short term needs with the need to safeguard the ability to meet long term needs, especially where things done to meet short term needs may have detrimental long term effect;*
- (b) the need to take an integrated approach, by considering how—*
 - i. the body's well-being objectives may impact upon each of the well-being goals;*
 - ii. the body's well-being objectives impact upon each other or upon other public bodies' objectives, in particular where steps taken by the body may contribute to meeting one objective but may be detrimental to meeting another;*
- (c) the importance of involving other persons with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population of the part of Wales in relation to which the body exercises functions;*
- (d) how acting in collaboration with any other person (or how different parts of the body acting together) could assist the body to meet its well-being objectives, or assist another body to meet its objectives;*
- (e) how deploying resources to prevent problems occurring or getting worse may contribute to meeting the body's well-being objectives, or another body's objectives.*

4. **To approve and sign the minutes of the meeting of the Personnel Committee held on 4 September 2023**

(Pages 335- 337)

5. **Exclusion of the Press & Public**

In accordance with section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting.

6. **To receive and discuss a staffing matter**

(Pages 338 - 339)

7. **Date of Next Meeting**

The next meeting of the Personnel Committee is scheduled to be held on Monday 13 November 2023 at 7pm

Distribution

Electronic notification of summons and front page Agenda to all Committee members. Email notification of electronic papers to all Barry Town Councillors (22). A full copy of the agenda and papers for this meeting (with the exception of confidential items) will be available at the Town Council Offices and on the Town Council Website – www.barrytowncouncil.gov.uk

This document is available in large print and other formats upon request/Cewch y ddogfen hon mewn pring bras a ffor matiau eraill drwy holi.

BARRY TOWN COUNCIL

MINUTES OF A MEETING OF THE PERSONNEL COMMITTEE HELD ON MONDAY 4 SEPTEMBER 2023 AT 7.00 PM

PRESENT: Councillors Perkes (Chair) together with Councillors Charles, Johnson, (Town Mayor – Ex-officio), N Hodges, S Hodges, Thomas

ALSO PRESENT: Tracy Predeth – Locum Chief Officer
Kathryn Thomas – Office Team Leader

R85. APOLOGIES FOR ABSENCE

Apologies received from Councillor Wiliam.
After the meeting apologies were received from Councillor Wilkinson.

R86. DECLARATIONS OF INTEREST

None received

R87. WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

RESOLVED: That the Well-being of Future Generations (Wales) Act 2015 be received and noted.

R88. TO APPROVE AND SIGN THE MINUTES OF THE PERSONNEL COMMITTEE HELD ON 17 JULY 2023

RESOLVED: That the minutes of the Personnel Committee held on 17 JULY 2023 be approved and signed as a correct record.

R89. BUDGET MONITORING REPORT TO 31 JULY 2023

Members were provided with the Committee's expenditure in the 2023/24 financial year as at the end of July 2023.

RESOLVED: The Budget Monitoring Report to 31 July 2023 be received and noted, with a recommendation that in the previous minutes, Item R75 should say underspent and not overspent

R90. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That in accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be excluded from the remainder of the meeting.

R91. TO CONSIDER AFFILIATION TO WORKNEST (PROFESSIONAL HUMAN RESOURCE AND HEALTH AND SAFETY ADVISORS)

The Locum Chief Officer advised that since she joined Barry Town Council, there have been a few staffing and sickness issues.

The Locum Chief Officer's proposal is to move Barry Town Council over to Worknest who are professional Human Resource and Health and Safety Advisors.

RESOLVED: That Affiliation to Worknest be deferred and that further details be provided to the next meeting of Personnel.

R92. STAFFING MATTERS

The Locum Chief Officer advised that since she joined Barry Town Council, there have been a few staffing and sickness issues and provided a general overview.

However, there was one item that required more detailed discussion and therefore due to the confidential nature of the item, confidential notes will be held on file with the Chief Officer.

RESOLVED: That an Extraordinary Personnel Committee meeting be arranged to receive and consider the matter further.

The Locum Chief Officer left the meeting at 7.30pm

R93 TO CONSIDER INCREASING THE LOCUM CHIEF OFFICERS HOURS SO SHE CAN PROVIDE SUFFICIENT SUPPORT TO OFFICERS

Members had a full discussion whether to increase the Locum Chief Officer's hours, and due to the confidential nature of the item, confidential notes will be held on file with the Chief Officer.

RECOMMENDED: To a meeting of the Finance, Policy and General Purposes Committee being held on Monday 11 September 2023 that the Locum Chief Officers hours are increased to 22½ hours per week, with additional information relating to costings be provided to the Finance, Policy and General Purposes Committee on 11 September 2023

The Locum Chief Officer came back into the meeting at 7.45pm

R94

DATE OF NEXT MEETING

RESOLVED: The date of the next meeting of the Personnel Committee has been scheduled to be held on Monday 13 November 2023 at 7.00pm, noting that an Extraordinary meeting will be arranged as per minute number R92 above.

The meeting closed at 7.46 pm

Signed Dated

CONFIDENTIAL

EXTRAORDINARY PERSONNEL COMMITTEE	21 SEPTEMBER 2023	AGENDA ITEM: 6
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STAFFING MATTERS

Report Author

Mark Sims, Deputy Chief Officer

Purpose of Report

To provide members with further information relating to a Staff Matter that was discussed at the Personnel Committee's meeting held on 4 September 2023.

Background Information

At the meeting of the Personnel Committee held on 4 September 2023, the Locum Chief Officer advised that since she joined Barry Town Council, there have been a few staffing and sickness issues and provided a general overview.

However, there was one item that required more detailed discussion and therefore due to the confidential nature of the item, confidential notes will be held on file with the Chief Officer. Minute number R92 **RESOLVED: That an Extraordinary Personnel Committee meeting be arranged to discuss the matter further.**

Employee number 00173 was appointed to their current position on 8 May 2018 however has continuous service since 1992 with a previous local authority.

In accordance with employee 00173's contract of employment, 'the length of notice which you are entitled to receive from the Council to terminate your employment is four weeks in writing until you have been continuously employed for four years and thereafter such notice entitlement increases by one week for each year of continuous service until you have completed twelve years of continuous employment after which time you will be entitled to twelve weeks' notice.

Therefore, as employee 00173 has completed twelve years of continuous employment (with both Council's) they will be entitled to twelve weeks' notice.

The employee has been absent due to sickness since 12 May 2023, and in accordance with Contract of Employment, is entitled to 6 months full pay and then six months half pay. As the employee had previous sickness absences within the previous twelve months the employee moved to half pay from 17 August 2023, and could continue to receive half pay until 17 February 2024.

At the Personnel Committee meeting on 4 September 2023, the Locum Chief Officer advised members that the employee's Union Representative requested that Council consider consensual termination of contract due to the employee's ongoing absence from work and provide 12 weeks' notice plus 4 weeks salary.

Financial Implications

Total cost of twelve weeks' notice (as per Contract) is £9,190

Total cost of twelve weeks' notice plus four weeks' salary is £12,255

While the employee has been absent their role has been covered by another employee 'Acting-up' with an appropriate acting up payment being made. This additional cost has been allocated to the General Salaries Contingency budget that is expected to remain in budget for the current year, although officers will monitor this during the remainder of the year.

If the Council agree to the consensual termination of contract we will recruit to the role by publicly advertising in one or more newspapers or journals circulating primarily among persons who may be expected to possess the necessary qualifications for that post, in accordance with the Council's Equal Opportunities Policy, as per Standing Order 26a.

Internal candidates will be advised of the vacancy and able to apply for the role.

Within the Salaries budget an amount of £40,566 has been included for the role that employee 00173 occupies. Although the employee has recently reduced to half pay, if members agree to the consensual termination of contract with the need to recruit to the role albeit at the bottom point on the SP range for this role, this will result in an overspend based on the individual role.

However due to other salary underspends, primarily due to not recruiting to the two vacant gravedigger positions until the outcome of the Cemetery Review is complete, we have a revised net underspend on Salaries of £63,754 (as advised to Finance Committee 11 September 2023, Agenda item 14) therefore the revised projected underspend could be reduced by up to £10,000.

Any consensual termination made will be on the basis of non-disclosure and confidentiality with a formal agreement entered into between Barry Town Council and the employee. The employee will need to agree that they will keep the existence and terms of the consensual termination agreement **confidential** and **not disclose** it to any third party (with the exception of disclosure to relevant professional advisers, provided that those persons agree to keep the information confidential, or where disclosure is required by law).

Recommendation

Members are requested to receive and note the above information, and Recommend to Full Council to agree to the request for consensual termination of contract for employee 00173.